Honolulu, Hawaii FEB 2 8 2013

RE: S.B. No. 586 S.D. 1

Honorable Donna Mercado Kim President of the Senate Twenty-Seventh State Legislature Regular Session of 2013 State of Hawaii

#### Madam:

Your Committees on Agriculture and Public Safety, Intergovernmental and Military Affairs, to which was referred S.B. No. 586 entitled:

"A BILL FOR AN ACT RELATING TO AGRICULTURAL BUILDING PERMITS,"

beg leave to report as follows:

The purpose and intent of this measure is to provide, under certain circumstances, an exemption from building code and permit requirements for nonresidential buildings or structures on commercial farms and ranches located outside the urban district.

Your Committees received testimony in support of this measure from the Hawaii Farm Bureau Federation, Local Food Coalition, East Oahu County Farm Bureau, Maui Cattlemen's Association, Land Use Research Foundation of Hawaii, Orchid Growers of Hawaii, W.H. Shipman Limited, Hui O Malama Aina, Hawaii Aquaculture and Aquaponics Association, Primavera Aquaponics, Ulupono Initiative, and seven individuals. Your Committees received testimony in opposition to this measure from the Department of Labor and Industrial Relations, County of Maui Department of Public Works, City and County of Honolulu Department of Planning and Permitting, and Historic Hawaii Foundation. Your Committees received comments on this measure from the Department of Agriculture.

Your Committees find that current county building code and state building requirements are designed for commercial and residential buildings in urban areas and are not applicable to

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farm structures such as greenhouses, storage sheds, and fish tanks that pose little safety risk to the public. Your Committees further find that building code requirements are financially and logistically burdensome to farming and ranching operations and deter agricultural development and expansion. Your Committees conclude that the agricultural exemptions provided by this measure will significantly ease the financial and administrative burden on farmers and ranchers with minimal risk to the public safety.

Your Committees have amended this measure by inserting language ensuring that section 46-88(a), Hawaii Revised Statutes, trumps conflicting state laws.

As affirmed by the records of votes of the members of your Committees on Agriculture and Public Safety, Intergovernmental and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 586, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 586, S.D. 1, and be placed on the calendar for Third Reading.

> Respectfully submitted on behalf of the members of the Committees on Agriculture and Public Safety, Intergovernmental and Military Affairs,

### The Senate Twenty-Seventh Legislature State of Hawaiʻi

# Record of Votes Committee on Agriculture AGL

Bill / Resolution No.:*	Committee Referral:			Date:					
SB586	AGL/PSM			2/12/13					
The committee is reconsidering its previous decision on this measure.									
If so, then the previous decision was to:									
The Recommendation is:									
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313									
Members		Aye	Aye (W	R) Nay	Excused				
NISHIHARA, Clarence K. (C)									
KOUCHI, Ronald D. (VC)									
DELA CRUZ, Donovan M.									
ENGLISH, J. Kalani									
THIELEN, Laura H.									
WAKAI, Glenn			-						
SLOM, Sam									
		*							
			-						
TOTAL	. <u> </u>	4			3				
Recommendation:	/	<del></del>	.l	t <u></u>					
Adopted Not Adopted									
Chair's or Designee's Signature:									
MUP.W									
Distribution:         Original         Yellow         Pink         Goldenrod           File with Committee Report         Clerk's Office         Drafting Agency         Committee File Copy									

<sup>\*</sup>Only one measure per Record of Votes

### The Senate Twenty-Seventh Legislature State of Hawai'i

## Record of Votes Committee on Public Safety, Intergovernmental and Military Affairs PSM

Bill / Resolution No.:*	Committee AGL/	Referral: PSM	Da	Date: <i>3-12- 台</i> 0 <i>1</i> 3					
The committee is reconsidering its previous decision on this measure.									
If so, then the previous decision was to:									
The Recommendation is:									
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313									
Members		Aye	Aye (WR)	Nay	Excused				
ESPERO, Will (C)									
BAKER, Rosalyn H. (VC)									
GALUTERIA, Brickwood					V				
GREEN, Josh									
SLOM, Sam									
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TOTAL		3			2				
Recommendation:  Adopted  Not Adopted									
Chair's or Designer's Signature:									
Distribution:         Original         Yellow         Pink         Goldenrod           File with Committee Report         Clerk's Office         Drafting Agency         Committee File Copy									

\*Only one measure per Record of Votes